IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

CONTEMPT PETITION NO.429 OF 2004

Dighi Agencies Pvt. Ltd.)..Petitioner

Versus

State of Maharashtra and another)..Respondents

Mr.Sanjay Kshirsagar for the Petitioner.

Mr.A.H. Palekar, Assistant Government Pleader, for the Respondents.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 2ND SEPTEMBER 2005

P.C.:

. This Contempt Petition has been filed for violating the order of this Court dated 31st August 2004. By this order, the Divisional Joint Registrar, Co-operative Societies, was directed to decide Misc. Application No.3 of 2003 under Section 148 of the Maharashtra Co-operative Societies Act, 1960 within six weeks from the date of the receipt of the copy of the order. It appears that the order has been complied with on 27th December 2004 and not within the stipulated period. An affidavit has been filed by the Divisional Joint Registrar stating that he had no intention to commit contempt but that the order dated 31st August 2004 was brought to his knowledge after the stipulated

time of six weeks was complete.

2. The learned Advocate for the Petitioner states that a false statement has been made by the Divisional Joint Registrar in his affidavit dated 19th August 2005 in paragraph 3 that he was informed of the order only after the six weeks period had expired. He submits that the Divisional Joint Registrar was informed time and again when the order has not been complied with and that the first intimation given to him on 8th September 2004 enclosed a copy of the order. It is obvious that the affiant Divisional Joint Registrar has made an incorrect statement in his affidavit. This is highly condemnable. However, I do not wish to take any action in contempt against him since the order has been complied with. The Divisional Joint Registrar will refrain hence forth from making false statements to the Court.

3. Mr.Palekar on behalf of the Divisional Joint Registrar unconditionally tenders an apology which is accepted.

4. Contempt Petition disposed of accordingly.